

*Karen Schaepp R 75713*

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**RECEIVED**

United States of America ex rel.

KAREN Y Schaepp  
(Full name and prison number)  
(Include name under which convicted)

PETITIONER

vs.

Mary Sigler  
(Warden, Superintendent, or authorized  
person having custody of petitioner)

RESPONDENT, and

(Fill in the following blank only if judgment  
attacked imposes a sentence to commence  
in the future)

ATTORNEY GENERAL OF THE STATE OF

Lisa Madigan  
(State where judgment entered)

JUL 14 2008

MICHAEL W. DOBBINS  
CLERK, U. S. DISTRICT COURT

CASE NO: **08 C 50141**

(Supplied by Clerk of this Court)

Case Number of State Court Conviction:

03-CF 333**PETITION FOR WRIT OF HABEAS CORPUS - PERSON IN STATE CUSTODY**1. Name and location of court where conviction entered: Rockford IllinoisWinnebago County Circuit Court2. Date of judgment of conviction: February 3, 2004

3. Offense(s) of which petitioner was convicted (list all counts with indictment numbers, if known)

one count ARSON count III4. Sentence(s) imposed: 12 years

5. What was your plea? (Check one)

(A) Not guilty ( )

(B) Guilty (X)

(C) Nolo contendere ( )

If you pleaded guilty to one count or indictment and not guilty to another count or indictment, give details:

no/a

**PART I - TRIAL AND DIRECT REVIEW**

*- Pled guilty*

1. Kind of trial: (Check one): Jury ( ) Judge only ( )
2. Did you testify at trial? YES ( ) NO ( )
3. Did you appeal from the conviction or the sentence imposed? YES ( ) NO ( )

(A) If you appealed, give the

- (1) Name of court: \_\_\_\_\_
- (2) Result: \_\_\_\_\_
- (3) Date of ruling: \_\_\_\_\_
- (4) Issues raised: \_\_\_\_\_

(B) If you did not appeal, explain briefly why not:

*appeals not available*

4. Did you appeal, or seek leave to appeal, to the highest state court? YES ( ) NO (☒)

(A) If yes, give the

- (1) Result: \_\_\_\_\_
- (2) Date of ruling: \_\_\_\_\_
- (3) Issues raised: \_\_\_\_\_

(B) If no, why not: \_\_\_\_\_

5. Did you petition the United States Supreme Court for a writ of *certiorari*? Yes ( ) No (☒)

If yes, give (A) date of petition: \_\_\_\_\_ (B) date *certiorari* was denied: \_\_\_\_\_

**PART II - COLLATERAL PROCEEDINGS**

1. With respect to this conviction or sentence, have you filed a post-conviction petition in state court?

YES (✓) NO ( )

With respect to *each* post-conviction petition give the following information (use additional sheets if necessary):

A. Name of court: Winnebago County Circuit Court

B. Date of filing: January 26, 2006

C. Issues raised: (1) unable to make an informed decision due to mental illness (2) thought would serve time at 50% not 85%

D. Did you receive an evidentiary hearing on your petition? YES ( ) NO (✓)

E. What was the court's ruling? dismissed petition

F. Date of court's ruling: May 13, 2006

G. Did you appeal from the ruling on your petition? YES (✓) NO ( )

H. (a) If yes, (1) what was the result? denied

(2) date of decision: March 28, 2008

(b) If no, explain briefly why not: \_\_\_\_\_

- I. Did you appeal, or seek leave to appeal this decision to the highest state court?

YES ( ) NO (✓)

(a) If yes, (1) what was the result? \_\_\_\_\_

(2) date of decision: \_\_\_\_\_

(b) If no, explain briefly why not: unable to file due to mental issues

2. With respect to this conviction or sentence, have you filed a petition in a **state court** using any other form of post-conviction procedure, such as *coram nobis* or habeas corpus? YES (☒) NO (☒)

A. If yes, give the following information with respect to each proceeding (use separate sheets if necessary):

1. Nature of proceeding Post-conviction
2. Date petition filed 1-26-2006
3. Ruling on the petition denied/dismissed
4. Date of ruling 5-13-2006
5. If you appealed, what was the ruling on appeal? denied
6. Date of ruling on appeal March 27, 2008
7. If there was a further appeal, what was the ruling? no
8. Date of ruling on appeal \_\_\_\_\_

3. With respect to this conviction or sentence, have you filed a previous petition for habeas corpus in **federal court**? YES ( ) NO (☒)

A. If yes, give name of court, case title and case number: \_\_\_\_\_

B. Did the court rule on your petition? If so, state

(1) Ruling: \_\_\_\_\_

(2) Date: \_\_\_\_\_

4. With respect to this conviction or sentence, are there legal proceedings pending in any court, other than this petition? YES ( ) NO (☒)

If yes, explain: \_\_\_\_\_

**PART III – PETITIONER'S CLAIMS**

1. State briefly every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. You may attach additional pages stating additional grounds and supporting facts. If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds later.

**BEFORE PROCEEDING IN THE FEDERAL COURT, YOU MUST ORDINARILY FIRST EXHAUST YOUR STATE COURT REMEDIES WITH RESPECT TO EACH GROUND FOR RELIEF ASSERTED.**

(A) Ground one defendant was and continues to be mentally ill.  
Supporting facts (tell your story briefly without citing cases or law):

ill. Defendant lives with mental health unit, takes numerous medications, is frequently unstable and has spent time in segregation. Defendant has been this way for years. To someone that medication would "Restore her to fitness" is ludicrous. Defendant's attorney failed to protect her interests. Defendant cannot meet the test for the ability to plead guilty "knowingly & intelligently"!

(B) Ground two Defendant was due to her mental illness  
Supporting facts:

undue she was pleading to 85%.

(C) Ground three  
Supporting facts:

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(D) Ground four  
Supporting facts:

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2. Have all grounds raised in this petition been presented to the highest court having jurisdiction?

YES ( ☒ ) NO ( ☐ )

3. If you answered "NO" to question (2), state briefly what grounds were not so presented and why not:

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**PART IV - REPRESENTATION**

Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

- (A) At preliminary hearing \_\_\_\_\_
- (B) At arraignment and plea \_\_\_\_\_
- (C) At trial \_\_\_\_\_
- (D) At sentencing - unknown - Defendant pled
- (E) On appeal - none taken
- (F) In any post-conviction proceeding Vick Kouros at appellate level
- (G) Other (state): \_\_\_\_\_

**PART V - FUTURE SENTENCE**

Do you have any future sentence to serve following the sentence imposed by this conviction?

YES (✓) NO ( )

Name and location of the court which imposed the sentence: Livingston County Illinois

Date and length of sentence to be served in the future 4 years

WHEREFORE, petitioner prays that the court grant petitioner all relief to which he may be entitled in this proceeding.

Signed on: 7-9-08  
(Date)

\_\_\_\_\_  
Signature of attorney (if any)

**I declare under penalty of perjury that the foregoing is true and correct.**

\_\_\_\_\_  
(Signature of petitioner)

R75713  
(I.D. Number)

23813-E3200 Northfield  
(Address)

Dwight, Illinois  
60420 8144



Miss Karen Schick  
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